

RESOLUTION NO. 6585

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UPLAND, CALIFORNIA RATIFYING THE DIRECTOR OF EMERGENCY SERVICES PROCLAMATION DECLARING AN EMERGENCY CAUSED BY THE 7TH STREET FIRE, AND REQUESTING THE ASSISTANCE OF THE SMALL BUSINESS ADMINISTRATION AND CALIFORNIA DISASTER ASSISTANCE ACT

WHEREAS, on Tuesday, May 4, 2021, a fire broke out at an apartment complex at 968 West 7th Street in Upland; and

WHEREAS, the fire spread into the attic, burning through 17 upstairs units; and

WHEREAS, San Bernardino County Fire Department responded to the fire with 27 firefighting units and received support from 3 other agencies; and

WHEREAS, in an effort to stop the spread of the fire, approximately 400,000 gallons of water were applied to the fire; and

WHEREAS, in the course of the fire, approximately 17 downstairs units received major smoke, water or fire damage; and

WHEREAS, through this tragic situation, approximately 200 people from 47 units have been displaced, many of whom have lost all their possessions; and

WHEREAS, Ordinance No. 1843 of the City of Upland empowers the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when said City/County is affected or likely to be affected by a public calamity and the City Council/County Board of Supervisors is not in session, and;

WHEREAS, the Director of Emergency Services of the City of Upland does hereby find; that conditions of extreme peril to the safety of persons and property have arisen within said city, caused by fire; which began on the 4th day of May 2021 and;

WHEREAS, these conditions are or are likely to be beyond the control of the services, personnel, equipment, and facilities of said City/County, and;

WHEREAS, the City Council of the City of Upland is not in session and cannot immediately be called into session; and

WHEREAS, Section 2.20.060 of the Upland Municipal Code authorizes the Director of Emergency Services, to make and issue rules and regulations on matters reasonably related to the protection of life and property affected by such emergency; provided, such rules and regulations are subject to confirmation at the earliest practicable time by the City Council; and

WHEREAS, in the interest of public health and safety, as affected by the emergency caused by the 7th Street Fire, it is necessary to exercise my authority pursuant to Section 2.20.060 of the Upland Municipal Code to order the adoption of the regulations below related to the protection of life and property.

NOW, THEREFORE, the City Council of the City of Upland hereby finds, determines and resolves as follows:

Section 1. The above findings are true and correct.

Section 2. Based on the above findings and pursuant to Section 2.20.060 of the Upland Municipal Code, the City Council hereby ratifies and confirms Proclamation of the existence of a local emergency issued by the Director of Emergency Services on May 10, 2021, which is attached hereto as Exhibit A and hereby incorporated as though set forth in full.

Section 3. The local emergency shall remain in effect until terminated by the Director of Emergency Services or the City Council, or until the City Council declares the local emergency to be over.

Section 4. The City Council finds that this Resolution is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Further, if the activity is deemed a project this City Council finds that this Resolution is exempt pursuant to Section 15061(b)(3) of the State CEQA Guidelines.

Section 5. Certification. The City Clerk shall certify the adoption of this Resolution and enter it into the book of original resolutions.

Section 6. Effective Date. This Resolution shall become effective immediately.

PASSED, APPROVED and ADOPTED this 10th day of May, 2021.



Bill Velto, Mayor

I, Keri Johnson, City Clerk of the City of Upland, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council held on the 10th day of May, 2021, by the following vote:

AYES:	Mayor Velto, Councilmembers Zuniga, Elliott, Garcia, Maust
NOES:	None
ABSENT:	None
ABSTAINED:	None

ATTEST:



Keri Johnson, City Clerk



DIRECTOR OF EMERGENCY SERVICES
Proclamation
Existence of a Local Emergency

WHEREAS, on Tuesday, May 4, 2021, a fire broke out at an apartment complex at 968 West 7th Street in Upland; and

WHEREAS, the fire spread into the attic, burning through 17 upstairs units; and

WHEREAS, San Bernardino County Fire Department responded to the fire with 27 firefighting units and received support from 3 other agencies; and

WHEREAS, in an effort to stop the spread of the fire, approximately 400,000 gallons of water were applied to the fire; and

WHEREAS, in the course of the fire, approximately 17 downstairs units received major smoke, water or fire damage; and

WHEREAS, through this tragic situation, approximately 200 people from 47 units have been displaced, many of whom have lost all their possessions; and

WHEREAS, Ordinance No. 1843 of the City of Upland empowers the Director of Emergency Services* to proclaim the existence or threatened existence of a local emergency when said City/County is affected or likely to be affected by a public calamity and the City Council/County Board of Supervisors is not in session, and;

WHEREAS, the Director of Emergency Services of the City of Upland does hereby find; that conditions of extreme peril to the safety of persons and property have arisen within said city, caused by fire; which began on the 4th day of May 2021 and;

WHEREAS, these conditions are or are likely to be beyond the control of the services, personnel, equipment, and facilities of said City/County, and;

WHEREAS, the City Council of the City of Upland is not in session and cannot immediately be called into session; and

WHEREAS, Section 2.20.060 of the Upland Municipal Code authorizes the Director of Emergency Services, to make and issue rules and regulations on matters reasonably related to the protection of life and property affected by such emergency; provided, such rules and regulations are subject to confirmation at the earliest practicable time by the City Council; and

WHEREAS, in the interest of public health and safety, as affected by the emergency caused by the 7th Street Fire, it is necessary to exercise my authority pursuant to Section 2.20.060 of the Upland Municipal Code to order the adoption of the regulations below related to the protection of life and property.

Proclamation – Local Emergency
Director of Emergency Services

· NOW, THEREFORE, IT IS HEREBY PROCLAIMED that a local emergency now exists throughout said City, and;

SECTION 1. Recitals. The preceding recitals are true and correct.

SECTION 2. Local Emergency. It is hereby proclaimed that a local emergency exists in the City of Upland.

SECTION 3. Requesting Assistance of Small Business Administration (SBA) and California Disaster Assistance Act (CDAA). This Proclamation is for the purpose of requesting SBA assistance for those affected by the emergency caused by the 7th Street Fire and requesting the CDAA to reimburse the City for fire response-related costs.

SECTION 4. A copy of this Proclamation and the Resolution ratifying the order will be forwarded to the Governor of California and the Secretary of the California Office of Emergency Services.

SECTION 5. Notice Order. Copies of this Proclamation shall be disseminated to the public and be given widespread publicity and notice.

SECTION 6. Effective Date. This Proclamation shall take effect immediately and shall remain in effect until terminated by the Director of Emergency Services or the City Council or until the City Council declares the local emergency to be over.

ADOPTED this MAY 10, 2021

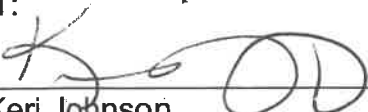
BY:



Stephen Parker
Acting City Manager/Director of Emergency Services

ATTEST:

BY:



Keri Johnson
City Clerk